

REMARKS

The examiner has rejected claims 1-12 under 35 U.S.C. § 102 (a) as being anticipated by Yuan, U.S. Patent 6,496,704, hereinafter Yuan. This rejection is not thought to be well taken, especially in view of the amendments to claims 1 and 7, the only independent claims in the application.

Before discussing the claims and the Yuan patent in detail, it is believed that it would be helpful to briefly review the concepts of the instant application and the Yuan patent, and contrast the two. The instant application teaches and claims a structure and method of operating such a structure for transmitting data between users wherein the network includes at least one processor and coprocessor associated with the processor, and wherein a data packet is passed to the coprocessor prior to transmission on the network, and the coprocessor performs any required operation(s) on the header of the data packet and returns the data packet to the processor. It is only after the data packet is returned with the required operation(s) performed on the header that the data packet is transmitted on the network. Yuan, on the other hand, teaches a network processor performing all operations on a data packet and then transmitting it across at least one network. As applied by the examiner, Yuan teaches any modification of the header which is required by the MDIS after it has been transmitted across the internet and the I/PCLNP BACKBONE (see Figure 6). There is absolutely no mention, teaching, or suggestion of *a coprocessor working in conjunction with a processor at any processing unit*.

Claims 1 and 7, the only independent claims (as amended) in the application specifically claim a network for transmission of a data network processor and coprocessor associated therewith. It is submitted that these amendments make explicit what was implicit

in the claims as filed, so it is not believed that they change the scope thereof. Moreover, this does not constitute new matter (see page 7, lines 13-18). A data packet is sent from the processor to the coprocessor prior to transmission on the network to perform any needed operation(s) on the header, and then returned to the processor, *after which* it is transmitted on the network. As pointed out above, Yuan does not teach or suggest such a structure or method.

Prior art is anticipatory only if every element of the claimed invention is disclosed in a single item of prior art in the form literally defined in the claim. Jamesbury Corp. v. Litton Indus. Products, 756 F.2d 1556, 225 USPQ 253 (Fed. Cir. 1985); Atlas Powder Co. v. du Pont, 750 F.2d 1569, 224 USPQ 409 (Fed. Cir. 1984); American Hospital Supply v. Travenol Labs, 745 F.2d 1, 223 USPQ 577 (Fed. Cir. 1984).

“Anticipation [of a process] requires identity of the claimed process and a process of the prior art; the claimed process, including each step thereof, must have been described or embodied, either expressly or inherently, in a single reference” Glaverbel Societe Anonyme v. Northlake Marketing & Supply, Inc. 45 F. 3d 1550, 1554, 33 USPQ2d 1496, 1498 (Fed. Cir. 1995).

“A rejection for anticipation under section 102 requires that each and every limitation of the claimed invention be disclosed in a single prior art reference...In addition, the reference must be enabling and describe the applicant’s claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention.” See In re Paulsen, 30 F. 3rd 1475, 1478 (Fed Cir. 1994). As stated in Advanced Display System Inc., v. Kent State University, 54 USPQ2d 1673, 1679 (Fed Cir. 2000). “...invalidity by anticipation requires that the four corners of a single, prior art document

describe every element of the claimed invention, either expressly or inherently, such that a person of ordinary skill in the art could practice the invention without undue experimentation.”

There is clearly no coprocessor taught nor suggested by Yuan, nor the operation by a coprocessor on a data packet *before* transmission, and transmission on the network *after* being returned to the processor. Thus, since these limitations are all in claims 1 and 7, these claims are clearly allowable over Yuan.

Claims 2-6 and 8-12 are dependent, directly or indirectly, on claims 1 and 7, respectively, and for the same reasons they are believed to be allowable. Additionally, claims 2 and 8 contain limitations to the order of redelivery of the data packets from the coprocessor to the processor. Since there is no coprocessor taught nor suggested by Yuan, there cannot be any order suggested for the return. Moreover, there is nothing in Yuan to suggest *any order* of sending from the MDIS to the home agent. Thus, for these additional reasons, claims 2 and 8 are believed to be allowable.

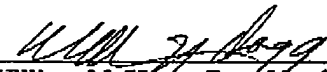
With respect to claims 3 and 9, these claims specifically require that the coprocessor restores the data to its modified form and then returns the data to the processor in its unmodified form. This clearly is not taught nor suggested by Yuan and, thus, for this additional reason, these claims are believed to be allowable. The dependency of claims 5, 6, 11 and 12 has been changed to claims 2, 3, 8 and 9 and, for the same reasons, are believed to be allowable.

The Franz et al U. S. Patent 6,757,725 has been briefly reviewed and is not believed to be more relevant than Yuan.

In view of the above, it is believed that each of the claims now in the application is distinguishable one from the other and over the prior art. Therefore, reconsideration and allowance of each of the claims now in the application is respectfully requested.

Respectfully submitted,

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